

INTRODUCTION OF H.R. 553: THE  
REDUCING OVER-CLASSIFICA-  
TION ACT OF 2009

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 15, 2009*

Ms. HARMAN. Madam Speaker, America's first preventers will face an enormous challenge next Tuesday. They must protect key members of this and the next Administration—especially the first families—and manage crowds of millions for the largest American Presidential Inauguration to date, working seamlessly with federal counterparts to do so.

Unprecedented efforts will be made to share information—especially information about threats. Information sharing was a huge problem leading up to 9/11, and 7 years later, we still have work to do.

When the Inauguration is over, local law enforcement shouldn't have to return to business-as-usual—where it is still difficult to get accurate, actionable, and timely information about threats and tactics to police officers in the field.

Though hard to believe, sheriffs and police chiefs can't readily access the information they need to prevent or disrupt a potential terrorist attack because those at the federal level resist sharing information. Over-classification and pseudo-classification—stamping with any number of sensitive but unclassified markings—remain rampant.

Protecting sources and methods is the only valid reason to refuse to share information. It is no exaggeration that people die and our ability to monitor certain targets can be compromised, if sources and methods are revealed.

But classifying information for the wrong reasons—to protect turf or to avoid embarrassment—is wrong. During my 8 years on the House Intelligence Committee, I became incredibly frustrated with this practice—which the Bush Administration elevated to an art form.

And, sadly, the practice has spread to our newest federal agency: the Department of Homeland Security.

Madam Speaker, the next attack in the United States will not be stopped because a bureaucrat in Washington, DC found out about it in advance. It will be the cop on the beat who is familiar with the rhythms and nuances of his or her own neighborhood who will foil that attack.

H.R. 553, the Reducing Over-Classification Act, and which passed the House unanimously in the 110th Congress, is an attempt to establish a gold standard at DHS when it comes to classification practices.

It requires that all classified intelligence products created at the Department be simultaneously created in a standard unclassified format if such a product would help local law enforcement keep us safe. This is unprecedented.

Furthermore, the bill requires portion marking—the identification of paragraphs in a document that are classified—permitting the remainder of the document to remain unclassified.

The measure will promote accountability by requiring the DHS Inspector General to sample randomly classified intelligence products

and identify problems that exist in those samples.

It also directs the Secretary to develop a plan to track electronically how and where information classified by DHS is disseminated so that misuse can be prevented.

Finally, the legislation requires the Secretary to establish extensive annual training on the proper use of the classification regime, and penalties for staff who repeatedly fail to comply with applicable classification policies.

A key to homeland security is personal preparedness. A prepared public is not likely to be terrorized. Access to important non-classified information is essential to ensure preparedness, and this bill protects the public's right to know. It enjoys support by privacy and civil liberty groups.

Madam Speaker, on behalf of first preventers and first responders everywhere, I urge passage of this essential bipartisan legislation, and its prompt consideration in the Senate.

SCHOOL BUILDING ENHANCEMENT  
ACT

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 15, 2009*

Mr. HOLT. Madam Speaker, I rise today to introduce the School Building Enhancement Act, legislation that would help schools implement energy saving measures to reduce their energy costs.

According to the Department of Energy, DOE schools spent over \$8 billion on energy in 2007—\$2 billion more than they spent just two years earlier. Sky-rocketing energy costs have forced schools to spend more annually on heating and electricity than they spend on textbooks and computers combined. Energy is the second-highest operating expenditure for schools after personnel costs. Schools across the country are already facing tight budgets; rising energy costs will only worsen their budget situation and could lead to the loss of important school programs.

Fortunately, there are ways for schools to offset the soaring price of energy. According to the Environmental Protection Agency, EPA, 30 percent of energy consumed in buildings is used unnecessarily or inefficiently. By understanding where energy is used unwisely and implementing simple changes in the operations and maintenance of school buildings, a school's operating costs can be reduced by 5 to 25 percent. Schools that are seeking even greater long-term savings can retrofit their buildings with more efficient systems and replace old appliances. The \$2 billion saved could be used for purchases that directly benefit our nation's students—such as hiring 30,000 new teachers or purchasing 40 million additional textbooks.

However, cash-strapped school systems often are unable to find the necessary financial resources to invest in these energy efficient upgrades. The School Building Enhancement Act would assist schools in making these improvements by providing grants to states and local educational agencies through the Department of Education for energy efficiency upgrades. These improvements would need to follow the guidelines of the EnergySmart

Schools Program of the Department of Energy or the Energy Star for K–12 School Districts program at the Environmental Protection Agency.

If enacted, the School Building Enhancement Act would provide the needed funding for schools in my home state of New Jersey, and throughout the country, to implement energy efficiency measures that would help schools save thousands of dollars annually.

Schools that already have implemented energy efficiency measures have succeeded in achieving significant savings. For example, the Summerfield Elementary School in my home state of New Jersey has implemented energy efficiency measures that have reduced their consumption by 32 percent, allowing Summerfield to save \$41,000 annually on energy costs. Summerfield is just one of many schools that are being built to use energy smarter and more efficiently. According to the EPA more than 800 schools have been Energy Star certified, saving an average of 40 cents per square foot in operating costs annually.

Twenty-five of my colleagues have joined me in introducing this important legislation to help cash-strapped schools achieve significant savings on their energy costs and protect the environment. I urge my colleagues to support the School Building Enhancement Act.

INTRODUCING THE SAVE OUR  
CLIMATE ACT

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 15, 2009*

Mr. STARK. Madam Speaker, I rise today with my colleague JIM McDERMOTT to reintroduce the Save Our Climate Act, a bill to place a tax on carbon. A carbon tax is the most straightforward and efficient way to end our addiction to fossil fuels and confront global climate change.

While I have introduced this proposal in years past, I am more confident than ever that the time for action has arrived. We have a President-elect who consistently acknowledges that our planet is in peril. The upcoming economic recovery package will focus on creating "green jobs" and investing in clean energy.

The best solution is to place a tax on what we want to reduce—pollution; and to put that revenue into what we want to increase—work, income, and investment in new technology. A carbon tax is the best way to do that.

Under the Save Our Climate Act, carbon based fuels—coal, petroleum and natural gas—are taxed at a rate of \$10 per ton of carbon content. The tax will increase by \$10 per ton of carbon every year, making it less affordable to burn fossil fuels as time goes on. When the United States reaches the International Panel on Climate Change's standard of reducing CO<sub>2</sub> emissions by 80 percent, the tax will be frozen.

A tax provides certainty for businesses, as they will know what the level of tax will be from year to year and can make adjustments in their business plans. This legislation is also simple to administer and will require no new bureaucracy to implement. For these reasons, the Congressional Budget Office, CBO, concluded last year that a carbon tax is the most